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PATENT
ATTORNEY DOCKET NO. 046700-5004-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark ALAIA et al.,

Application No.: 09/311, 557

Filed: May 14, 1999

For: METHOD AND SYSTEM FOR
CONTROLLING THE INITIATION AND
DURATION OF OVERTIME
INTERVALS IN ELECTRONIC
AUCTIONS (As Amended)



ATTENTION: BOX AF

Group Art Unit: 2765

Examiner: J. PATEL

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Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment Under 37 C.F.R. § 1.116 responding to the final Office Action dated September 11, 2000.

2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

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Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$195.00
<input type="checkbox"/> three months	\$ 890.00	\$445.00
<input type="checkbox"/> four months	\$1,390.00	\$695.00

Extension of time fee due with this request: \$ _____

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	107	minus	113	0	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	35	minus	11	24	x \$80 each=	+ \$1,920
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$260.00	+ \$
SUB-TOTAL =						\$1,920
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$1,920

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6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ A check in the amount of \$1,920.00 for 24 additional independent claims is enclosed. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: October 27, 2000

By: Lesley L. Coulson
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